

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 308 - SB 306**

February 19, 2019

**SUMMARY OF ORIGINAL BILL:** Enhances the penalty for using an unmanned aircraft over a critical infrastructure facility without the business operator's consent to a Class E felony.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004167):** Adds language to the bill to include a communication service facility in the definition of a critical infrastructure facility.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Under current law, Tenn. Code Ann. § 39-13-903(6)(A), it is a Class C misdemeanor to knowingly use an unmanned aircraft within 250 feet of the perimeter of any critical infrastructure facility for the purpose of conducting surveillance of, gathering evidence or collecting information about, or photographically or electronically recording critical infrastructure data.
- The proposed legislation would enhance such an offense to a Class E felony.
- Based on information provided by the Administrative Office of the Courts, there have been zero state court convictions under this statute in the past five years.
- Any increase in caseloads to trial courts can be accommodated within existing resources without an increased appropriation or reduced reversion.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj